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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	Before the Examiner:
Challener et al.	:	Pyzocha, Michael J.
	:	
Serial No.: 10/016,792	:	Group Art Unit: 2137
	:	
Filing Date: November 2, 2001	:	
	:	IBM Corporation
Title: TRANSMITTING A	:	IP Law Dept. YXSA/Bldg. 002
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RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Non-Compliant Appeal Brief having a mailing date of October 17, 2006, with a time for response set to expire on November 17, 2006, Appellants respond as follows:

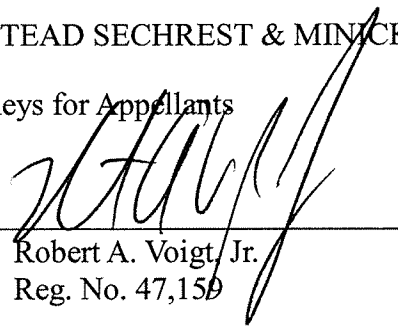
The Patent Appeal Center Specialist, Lorenda Hood, asserts that Appellants' Amended Appeal Brief, filed on October 9, 2006, is defective because the Amended Appeal Brief allegedly fails to mention the status of claims 19 and 22 and allegedly does not contain a concise explanation of the subject matter defined in each of the independent claims. Appellants respectfully direct Ms. Hood's attention to Section III (entitled "Status of Claims") on page 1 of the Amended Appeal Brief which specifically states "Claims 16, 19 and 22 were cancelled." Hence, Appellants did mention the status of claims 19 and 22. Further, Appellants respectfully direct Ms. Hood's attention to Section V (entitled "Summary of Claimed Subject Matter") on pages 2-6 of the Amended Appeal Brief which specifically contains a concise explanation (including citations to the Specification and Figures) of the subject matter defined in each of the independent claims. Appellants therefore assert that the Amended Appeal Brief is not defective and complies with each provision of 37 C.F.R. §41.37. Accordingly, Appellants respectfully request Ms. Hood to withdraw the notice of non-compliance. If Ms. Hood still believes that the Amended Appeal Brief is defective, Appellants kindly request Ms. Hood to contact Mr. Voigt at the below indicated number. Mr. Voigt left a voice message with Ms. Hood to clarify the notice of non-compliance, but Ms. Hood did not return Mr. Voigt's voice message.

Respectfully submitted,

WINSTEAD SECHREST & MINICK P.C.

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